

HOUSE BILL 642

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Ray Begaye

AN ACT

RELATING TO HEALTH; ENACTING THE INDIAN HEALTH CARE ACT;
CREATING A NEW DIVISION WITHIN THE DEPARTMENT OF HEALTH; MAKING
AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE.--This act may be cited as the
"Indian Health Care Act".

Section 2. PURPOSE.--The purpose of the Indian Health
Care Act is to ensure that prescribed health care is culturally
relevant to Native Americans, that adequate attention is paid
to the coordination of service delivery between state and
tribal health care providers and that culturally competent
health care is provided by including Native American staff at
all levels of service delivery.

Section 3. DEFINITIONS.--As used in the Indian Health

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1 Care Act:

2 A. "department" means the department of health;

3 B. "secretary" means the secretary of health; and

4 C. "tribe" means an Indian nation, tribe or pueblo
5 located within New Mexico.

6 Section 4. INDIAN HEALTH CARE DIVISION CREATED--DEPUTY
7 SECRETARY OF HEALTH POSITION CREATED.--

8 A. The "Indian health care division" is created in
9 the department. The secretary shall appoint a deputy secretary
10 of health, who shall direct the activities of the division.

11 B. The deputy secretary of health shall:

12 (1) oversee, manage, coordinate with and
13 supervise programs affecting delivery of health care to Native
14 Americans in New Mexico, including primary care, behavioral
15 health care, medicaid and medicare, social services, policy and
16 finance, children's health and long-term care;

17 (2) appoint an Indian health care advisory
18 board consisting of relevant tribal and urban Native Americans
19 to analyze service delivery problems and to assess the effects
20 of changes in delivery systems; and

21 (3) promote government-to-government
22 relationships and ties between tribes and the state by
23 implementing the federally mandated tribal consultation
24 process.

25 C. The Indian health care division shall:

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1 (1) encourage adoption of culturally relevant
2 service deliveries, including:

- 3 (a) native language;
4 (b) traditional healing practices;
5 (c) alternative licensing for healers;

6 and

7 (d) methodologies relative to native
8 traditions in health care initiatives;

9 (2) improve resources available to reduce
10 health and behavioral health disparities between New Mexico's
11 Native American population and other New Mexicans;

12 (3) increase the number of licensed Native
13 American health care providers in the state of New Mexico
14 through increased attention to recruitment and retention and
15 through collaborative efforts with higher education and
16 licensing boards;

17 (4) prepare an annual health care assessment
18 of Native Americans in New Mexico;

19 (5) promote government-to-government
20 relationships between a tribe and the state by implementing the
21 federally mandated tribal consultation process;

22 (6) collaborate with the federal Indian health
23 service and other Native American health care providers
24 independent of states or counties, in order to merge or
25 solidify service deliveries to Native American communities; and

.153305.1

1 (7) identify and reduce disparities between
2 New Mexico Native Americans and New Mexicans of other
3 ethnicities.

4 Section 5. RULEMAKING.--The department shall adopt rules
5 to implement the provisions of the Indian Health Care Act.

6 Section 6. APPROPRIATION.--Four million five hundred
7 thousand dollars (\$4,500,000) is appropriated from the general
8 fund to the department of health for the Indian Health Care Act
9 for expenditure in fiscal years 2006 to 2008. Any unexpended
10 or unencumbered balance remaining at the end of fiscal year
11 2008 shall revert to the general fund.

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